

DELEGATE J. CLARK (presiding): Delegate Sherbow.

DELEGATE SHERBOW: You put too many things together that do not jell.

I say they are coordinate branches of the government. They are not co-equal in every respect. In many fields they are far superior to the governor who does not have any power in their field. In other fields, the governor is superior to them because he cannot act in their field.

I say to you on the basis of what has been distilled into Maryland's laws, philosophy, constitution, and all of its fiscal actions, we have evolved something that has worked out very well for the State. We think that the legislature should have the right, if it chooses, to enact a program. Nothing stops that. But when they enact it, the legislature has the corollary that goes with it, the responsibility to determine the basis for financing that particular program in the next fiscal year.

DELEGATE J. CLARK (presiding): Are there any further questions?

If not, the section is now open to amendments, section by section.

Are there any amendments to section 6.03?

(There was no response.)

The Chair hearing none, we will go to section 6.04.

Are there any amendments to section 6.04?

(There was no response.)

Are there any amendments to section 6.05?

Judge Sherbow, the question that you had about changing Superior Court to chief of the Court of Appeals, is there an amendment, or do you want to ask unanimous consent to change this?

DELEGATE SHERBOW: Will Delegate Mudd yield for a question?

DELEGATE MUDD: Yes.

DELEGATE SHERBOW: How do you want to handle it?

DELEGATE MUDD: I just was handed two proposed amendments which we hope would correct our problem. If you will bear with me a few moments, I think we can get it in the proper shape.

DELEGATE J. CLARK (presiding): I think the Chair will recognize Delegate

Powers, and we will continue with this after the lunch period.

Delegate Powers.

DELEGATE POWERS: Mr. Chairman, I move the Committee of the Whole rise and report that it has not yet concluded its consideration of Committee Recommendation SF-5.

DELEGATE J. CLARK (presiding): All in favor of the motion for the Committee to rise, say Aye; opposed, No.

The Ayes have it. The motion is carried.

(Whereupon, at 1:00 P.M., the Committee of the Whole rose, and the Convention reconvened.)

(The mace was replaced by the Sergeant-at-Arms.)

PLENARY SESSION

DECEMBER 6, 1967—1:00 P.M.

PRESIDENT H. VERNON ENEY,
PRESIDING

DELEGATE J. CLARK (presiding): A quorum being present, the Convention is now in session.

Anyone wishing to indicate their presence that was not here this morning please do so. The Clerk will take the roll.

The Chairman of the Committee of the Whole reports that the Committee has not completed its work on SF-5, and indicates the need to sit again.

The Chair recognizes Delegate Powers.

DELEGATE POWERS: Mr. President, before moving that we recess in order to dispel any doubt I would like to announce that we are planning a night meeting. There will be no further night meetings for the remainder of the week.

I move we recess until 2:30.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Morgan.

DELEGATE MORGAN: Mr. President, I want to make an announcement that the Executive Branch Committee is going to meet tomorrow immediately following the recess of the morning session.

DELEGATE J. CLARK (presiding): Delegate Mudd.

DELEGATE MUDD: Mr. President, may I announce that the Judicial Branch Com-